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Filing date: **02/19/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046853
Party	Defendant DISNEY ENTERPRISES, INC. DISNEY ENTERPRISES, INC. 500 SOUTH BUENA VISTA STREET BURBANK, CA 91521
Correspondence Address	Dale M Cendali O'Melveny & Myers 7 Times Square New York, NY 10022 UNITED STATES
Submission	Motion to Extend
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Date	02/19/2007
Attachments	trademark.pdf (3 pages)(83214 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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STEPHEN SLESINGER, INC. : Cancellation No. 92046853
: Reg. No.: 1982916 2257705
: 2415566 2415567 2421062
Petitioner, : 2421063 2421064 2421065
: 2421066 2623099 2700618
v. : 2702775 2704886 2704888
: 2803118 2832514 2978291
DISNEY ENTERPRISES, INC., : 3021643 3021644 3024286
: 3024287 3038490 3101432
: 3122189 3175607
Respondent. :
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**MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER
OR OTHER RESPONSE**

Respondent, Disney Enterprises, Inc. ("Disney"), by and through its attorneys, O'Melveny & Myers LLP, respectfully submits this request for extension of time to file an answer or other response, pursuant to Fed. R. Civ. P. 6(b)(1), pending the outcome of Disney's "Motion to Suspend Proceedings Pursuant to 37 C.F.R. §2.117" ("Motion to Suspend") filed with the Board on February 2, 2007.

Disney should not be required to file its answer or other response, due on February 20, 2007,¹ during the pendency of its Motion to Suspend. As previously indicated in that motion, the parties in the instant cancellation proceeding are already engaged in litigation in the United States District Court for the Central District of California over the parties' respective rights to, among other things, the trademark registrations for which Petitioner, Stephen Slesinger, Inc. ("SSI") has sought cancellation. (See Disney's Motion to Suspend at ¶¶ 1-2.) Rather than allow

¹ Disney's answer or other response is due on February 18, 2007, which is a Sunday. As Monday, February 19, 2007 is a federal holiday, Disney's answer or other response actually is due on February 20, 2007. 37 C.F.R. §2.196

that action to run its course, and in violation of a stipulation and two separate orders by the District Court temporarily staying SSI's trademark claims (id. at ¶2), Petitioner initiated the instant cancellation proceeding concerning the very same trademark matters.

Disney filed its Motion to Suspend so that it would not be required to unnecessarily engage in duplicative proceedings involving identical matters. Disney should not, at this stage, be obliged to file an answer or other response, or to otherwise defend the instant cancellation proceeding. To do so would defeat the purpose of Disney's Motion to Suspend.²

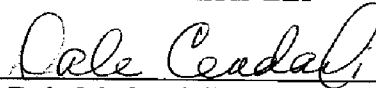
As Disney has offered good cause for extending its time to file an answer or other response, Disney respectfully requests that its motion be granted.

Dated: February 19, 2007

Respectfully submitted,

O'MELVENY & MYERS LLP

By:



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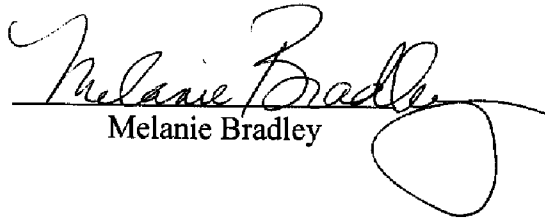
Attorneys for Respondent

² Notwithstanding Disney's pending Motion to Suspend, SSI not only already served Disney with substantial discovery requests, but also demanded responses more than a week in advance of the deadline provided for under the Board's procedural rules. SSI served its demands by mail on February 7, 2007, and stated responses should be provided by March 5. However, by rule, Disney's responses are presently due on March 14, 2007. 37 C.F.R. 2.120(a); 37 C.F.R. 2.119(c). If necessary, Disney will seek a stay of this discovery pending the determination of its Motion to Suspend.

CERTIFICATE OF SERVICE

I, Melanie Bradley, hereby certify that on February 19, 2007, I caused the Motion for Extension of Time to File an Answer to be served upon Petitioner, by its counsel Andrew D. Skale, by personally delivering a true copy of the aforementioned document, enclosed in a properly addressed postpaid wrapper, via First Class mail to:

Andrew D. Skale, Esq.
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Melanie Bradley